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UNITED STATES



## A Lawsuit Could Expose a Culture of Sexual Violence at an Elite Prep School



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Part two in the dramatic legal battle surrounding an **elite American prep school** (<https://www.vice.com/read/a-rape-trial-is-revealing-the-details-of-a-competitive-sex-ritual-at-an-elite-new-england-prep-school-825>) and its allegedly "warped culture of sexual misconduct" has begun.

The criminal case against **Owen Labrie** (<http://www.vice.com/read/my-surreal-train-ride-with-one-of-new-englands-most-notorious-sex-offenders>), the former student at St. Paul's prep in New Hampshire who was convicted of misdemeanor statutory rape last year—along with a felony for using a computer to lure a child—is still tied up in an already bizarre appeals process.

But the victim's family is now suing the school itself.

Late Wednesday afternoon, family attorneys filed their **complaint** ([https://upload-assets.vice.com/files/2016/06/02/1464883311jd\\_complaint.pdf](https://upload-assets.vice.com/files/2016/06/02/1464883311jd_complaint.pdf)), which they say shows how Labrie's crime took place as a direct result of the school "fostering, permitting, and condoning a tradition of ritualized statutory rape."

The complaint describes a school storage shed dubbed the "Mars Hotel" that was littered with old condoms, alleges the school's refusal to acknowledge a systemic problem even after the rector's own wife was solicited for a "Senior Salute"—the moniker for a campus hookup ritual—and cites a report that administrators ignored a prior warning about Labrie's aggressive sexual advances.

Attorneys also claim school administrators failed to report the rape after the victim first described the incident to a faculty member, and did nothing to protect her after she returned to the school and was openly mocked.

The school has already been rocked by the **sensational material unearthed** (<https://www.vice.com/read/inside-the-courtroom-of-an-elite-new-england-prep-school-rape-trial-821>) in last summer's criminal trial, including explicit emails sent between senior male students

apparently tallying sexual conquests. They were also shown to share strategies for seducing younger students, or "prepubescent bum," which included Labrie's professed method: "Feign intimacy... then stab them in the back."

But Steven Kelly, an attorney for the victim's family, says the details released so far have just been the "tip of the iceberg," and that new information about the school's refusal to address student misconduct will be exposed as part of an extensive discovery process.

"This is devastating damage to this family financially and emotionally," Kelly tells VICE.

The complaint also details how the victim's name was released by some media outlets, and says she was threatened by online commenters. "i [sic] know my ivy frat bros are putting a target on her, she is gonna get used and abused," one apparently wrote.

The girl's home address was also released online.

While a specific cash figure is not specified in this complaint, Kelly points to the Erin Andrews case ([https://www.washingtonpost.com/news/early-lead/wp/2016/03/07/erin-andrews-awarded-55-million-in-peephole-case/?tid=a\\_inl](https://www.washingtonpost.com/news/early-lead/wp/2016/03/07/erin-andrews-awarded-55-million-in-peephole-case/?tid=a_inl)), in which the sports reporter was awarded \$55 million in damages from the owner of the hotel where she was videotaped while undressing.

"We fully expect this verdict would be on the high side of the verdicts around the country," Kelly says.

In a statement released (<http://www.sps.edu/page/News-Detail?pk=857491&fromId=189009>) Wednesday, the school said the lawsuit is "without merit."

"We categorically reject any allegations that St. Paul's School has an unhealthy culture," the statement reads. "The safety of our students has been and will continue to be the highest priority for our school."

According (<http://www.wsj.com/articles/parents-sue-st-pauls-school-after-senior-salute-sexual-assault-case-1464830358>) to the *Wall Street Journal*, after the trial verdict, in an email to the school community, St. Paul's Rector Michael Hirschfeld wrote that officials first heard about the Salute in spring of 2013. The rector elaborated about his knowledge of students using the word "slay" and "slayer" in a speech to students: "While these words made me uneasy, I did nothing as the head of the School to address their use nor, to my knowledge, did anyone else," he said, according (<http://www.vanityfair.com/news/2016/03/st-pauls-owen-labrie-rape-trial>) to *Vanity Fair*.



The rector's remarks have since been removed from the school website.

According to the complaint, Hirschfeld had additional knowledge about the practice of scoring sexual encounters at the school since he oversaw the work of a student who conducted an independent report on school norms called, "The Real Student Handbook: The Little Red Book." (A request for comment from Hirschfeld was met by a reference from the school to its initial statement.)

The civil suit is the latest development in a more than two-year saga that began when the State of New Hampshire pressed charges on behalf of the then 15-year-old victim in 2014. Prosecutors were quick to hone in on the Salute, a practice where upperclassmen reach out to younger students for an intimate encounter—ranging anywhere from hand-holding to sex. Hookups between students were tallied on a campus wall.

In Labrie's case, he invited the victim to the roof of a campus building to take part in a Salute via email. The new civil suit alleges he sent out nearly identical emails to several other students. (In his criminal trial, Labrie was found to have had sex with the girl, who was too young to consent, in a mechanical room.)

Labrie was sentenced to a year in county jail and at least 15 years on the sex offender registry last October. He was then released on bail pending a decision on his appeal—that is, until I ran into him on a train going from Boston to Cambridge on the afternoon of February 29. He told me he was visiting his girlfriend, and my impromptu interview—and tweets about it—**sparked an investigation** (<http://www.vice.com/read/how-my-tweets-led-to-notorious-sex-offender-owen-labrie-going-to-jail>) in which prosecutors revealed he broke the terms of his curfew on numerous occasions. Labrie's bail was revoked for about two months, at which point the judge, on suggestion from the state Supreme Court, **decided he had learned his lesson.** (<https://www.bostonglobe.com/metro/2016/05/16/owen-labrie-released-bail/f9E2k0GA8zQgsf4S8bB11M/story.html>)

(<https://www.bostonglobe.com/metro/2016/05/16/owen-labrie-released-bail/f9E2k0GA8zQgsf4S8bB11M/story.html>) Now Labrie is back out on bail, albeit this time with an ankle bracelet.



*The "Mars Hotel," as described by the plaintiffs. Photo courtesy Steven Kelly*

Meanwhile, Labrie's attorney, Jaye Rancourt, had continued filing appeals. In one effort to reinstate his bail, she released a letter from a professor who had been mentoring him on a master thesis on the french philosopher Simone Weil, in an attempt to get into a PhD program at Oxford.

In the letter, the unnamed professor **compared** (<https://www.boston.com/news/crime/2016/05/02/in-argument-for-bail-attorneys-include-letter-from-professor-comparing-owen-labrie-to-joan-of-arc>) Labrie to Joan of Arc.

"It's so amazing to me how much God loves you—because God doesn't usually bother to wizen up ordinary kids who get involved in teen-age sex play," the professor wrote. "But, obviously, God intends something more from you than a 'staged normal life.' God intends that you (like Joan of Arc and Simone Weil) take on a higher task."

In another motion, Rancourt **broached** (<http://www.unionleader.com/courts/owen-labrie-lawyers-argue-better-connected-students-not-prosecuted-included-son-of-hassan-legal-counsel-20160510>) an allegation Labrie's previous attorney, J. Carney made during a sidebar at trial: That one of

the witnesses against the accused, his former roommate Andrew Thomson, had also been accused of having sex with an underaged girl, and that the school handled that matter internally.

Thomson is the son of Lucy Hodder, who was once legal counsel for New Hampshire Governor Maggie Hassan, and Carney implied Labrie was being charged criminally while more connected students at the school were given a pass. Rancourt alleged this information was barred from the court, but Judge Larry Smuckler later claimed that the issue was not barred, and that Carney simply did not pursue the angle at trial.

Smuckler recently dismissed Rancourt from the case, however, agreeing with the prosecution's argument that she cannot effectively argue Labrie's defense team was ineffective since she herself was part of that team.

Meanwhile, what the school did or did not know about Thomson and Labrie's other friends at St. Paul, who formed a not-so-secret group called the "Slaymakers," according to the civil suit, is sure to be scrutinized at a new level in months ahead.

Kelly, the family attorney, says witnesses could also include the sons of the school's trustees.

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